

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
FEBRUARY 1, 2023**

Mayor McIntyre called the meeting to order at 05:04 PM at Fernley City Hall, 595 Silver Lave Blvd., Fernley, NV 89408

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor McIntyre, Councilwoman McKay, Councilman Lau, Councilman Hanan, Councilman Torres, Councilwoman Zoberski; **Staff:** Kim Swanson, City Clerk; Sandy Harris, City Clerk Administrative Specialist, Brandi Jensen, City Attorney; Shay League, Associate Planner; Charity Birkel, Building Official; Dave Whalen, Public Works Director; Derek Starkey, City Engineer; Denise Lewis, City Treasurer, Charity Birkel, Building Official.

1.2. Public Forum

None

1.3. (For Possible Action) Approval of Agenda

Motion: MOVE TO APPROVE AGENDA **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Fran McKay. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

2. CONSENT AGENDA

2.1. (Possible Action) Approval of the Voucher Report

2.2. (For Possible Action) Approval of Minutes from January 11th & January 18, 2023.

2.3. (Possible Action) Approval of Business Licenses

2.4. (For Possible Action) Approval of the American Rescue Plan Act sub-award agreement between the City of Fernley and Lyon County Human Services to respond to the negative economic impacts of the COVID-19 public health emergency in the amount of \$216,000 for the dates of December 1, 2022 through December 31, 2024.

2.5. (For Possible Action) Approval of the final subdivision map associated with FSM 2019-002 for Friendly 5, Village 1.

2.6. Possible Action to Approve the Will-Serve Request from Norman Ventures NV, LLC (GNCU) for .01 ERCs for Water and .36 ERCs for Sewer for Greater Nevada Credit Union TI for Lyon County Parcel 021-232-67 located on East Newlands Fernley, NV 89408

2.7. Possible action to authorize the execution of the water rights banking and dedication agreement

with Steven L. Ball, APN 021-101-12 TCID serial number 1020-2 in the amount of 5.58 acre-feet.

2.8. Possible Action to Approve the Will-Serve Request from Goudy Investments LLC for 4 ERCs for Water and 4 ERCs for Sewer for future development for Lyon County Parcel 021-201-47 located on Nevada Pacific Blvd and Hwy 50 Fernley, NV 89408.

Motion: MOVE TO APPROVE THE CONSENT AGENDA. **Action:** Approve , **Moved by** Councilman Hanan, **Seconded by** Councilman Lau. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lau, Councilman, Torres, Councilwoman McKay, Councilwoman Zoberski.

3. REPORTS - this item is for various public entity representatives to provide general information to the Council and public. No action will be taken.

3.1. Reports by City Staff, City Council, and the Mayor, including but not limited to monthly statistical reports by city departments.

Building Official Charity Birkel gave building department stats for the month of January 2023.

Councilman Hanan reported on his ride-along with the Sheriff's Department on "Saturation Night" in Fernley. He stated he learned a lot about policing in Fernley. He thanked the Sheriff's Department for letting him attend.

Councilman Torres gave a reminder of the Senior Advisory Board Meeting on February 10, 2023 at 9:00.

Councilwoman McKay stated that she attended the State of the Counties meeting in Carson City. The State of the Counties covers Douglas, Lyon, Mineral, Storey and Carson counties. The two most interesting take aways were (1) one of the counties has a Community Conversation Time, which lets the community have its say in regards to their concerns, and (2) there is a community that has a fund match to help downtown businesses improve the looks of business. On Wednesday she went to the EDAWN Luncheon. She also announced that at the WNDD meeting Andy Haskens had been approved by the Commissioners to be the new Lyon County Manager.

Mayor McIntyre stated he attended the EDAWN luncheon which focused on the economy and recession. He also stated that he went on a Tesla tour with Elan Musk and the Governor. During his time with the Governor, he asked the Governor what Fernley could do to help him achieve his goals, and the Governor stated to build homes. He also gave a reminder that the Fernley Aces Board project theme is Revolution, for the Community Art show on Saturday, February 4th, 3:00 - 7:00 at Fernley Art Center.

3.2. State of Nevada Legislative update.

Nick Vanderpool, Flynn Guidici Government Affairs, gave an overview of the basics of what it takes to get a law through at the Nevada Legislature 120 day calendar. He introduced Tim Robb, the Fernley representative from Governor's office.

4. PROCLAMATIONS BY THE MAYOR

There were none.

5. PRESENTATIONS

5.1. Presentation on the City Attorneys Accomplishments and Goals for 2022-2023

Brandi Jensen, City Attorney, gave presentation on the City Attorneys' office accomplishments and goals for 2022-2023.

City Attorney Jensen presented Goals and Accomplishments for 2023-2023

Councilwoman Zoberski stated she would like to see an evaluation all departments.

Motion: MOTION TO ACCEPT JOB EVALUATION. **Action:** Approved, **Moved by** Councilman Albert Torres, **Seconded by** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

6. ORDINANCES

6.1. (For Possible Action) First Reading, Introduction of Bill # 324 and possible action on a ZMA22009 Public Hearing Continuation Request. Introduction of Bill # 324 as an ordinance associated with ZMA22009, a zoning map amendment submitted in support of the River Ranch Apartment project, and request to continue the public hearing for ZMA22009 from 02/01/2023 to 02/15/2023 due to delay getting Bill # 324 prepared for the first reading.

Associate Planner Shay League presented the project.

Motion: MOVE THAT CITY COUNCIL CONTINUE THE PUBLIC HEARING FOR ZMA22009, ASSOCIATED WITH THE RIVER RANCH APARTMENT PROJECT, FROM FEBRUARY 1ST, 2023 TO OUR NEXT MEETING ON FEBRUARY 15TH, 2023. **Action:** Approved, **Moved by** Councilman Albert Torres, **Seconded by** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

7. STAFF REPORTS

7.1. (Possible Action) Approval of the Fourth Amendment to a Contract between the City of Fernley and Hinton Burdick, CPAs & Advisors for Independent Audit Services dated January 1, 2023.

Finance Director Lewis asked to combine items 7.1 and 7.2. She added Hinton Burdick, CPAs have done a great job for the City of Fernley and asked City Council to approve their contract.

Motion: I MOVE TO APPROVE THE FOURTH AMENDMENT TO A CONTRACT BETWEEN THE CITY OF FERNLEY AND HINTON BURDICK, CPAS & ADVISORS FOR INDEPENDENT AUDIT SERVICES DATED JANUARY 1, 2023, AND TO DESIGNATE HINTON BURDICK CPAS & ADVISORS AS THE INDEPENDENT AUDIT FIRM TO PERFORM THE CITY'S ANNUAL FINANCIAL AUDIT FOR FISCAL YEAR ENDING JUNE 30, 2023. **Action:** Approved, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Fran McKay. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

7.2. Discussion and Possible Action to designate Hinton Burdick CPAs & Advisors as the Independent Audit Firm to perform the City's Annual Financial Audit for the Fiscal Year ending June 30, 2023.

Combined with 7.1

8. PUBLIC HEARINGS

8.1. (For Possible Action) Consideration and possible action on a type I vacation (T1VAC22001) to abandon a public right of way known as "Dolores Court" generally located north of Fremont Street, south of US Interstate 80, west of Wildwood Drive, and east of Vine Street (abutting APNs: 021-092-46, 021-092-47, 021-092-54, & 021-092-55) to facilitate the development of Sherwood Villages by request of Phelps Engineering Services.

Shay League, Associate Planner, gave presentation on vacation site.

Motion: AFTER REVIEWING THE FACTS SET FORTH IN THE STAFF REPORT, I AM SATISFIED THAT THE PUBLIC WILL NOT BE MATERIALLY INJURED BY THE PROPOSED VACATION AND MOVE TO APPROVE THE TYPE I VACATION ASSOCIATED WITH T1VAC22001. **Action:** Approved, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

9. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS

9.1. For possible action and consideration requesting a future agenda item to discuss water rates, water bond repayment, future 5-year infrastructure project list and possible rate reduction. (Councilman Hanan)

Councilman Hanan stated he would like to have staff prepare presentation and analysis of bond and repayment of debt including how water rates are calculated.

Motion: MOTION TO MOVE ITEM 9.1 TO APRIL AGENDA **Action:** Approved, **Moved by** Councilman Ryan Hanan, **Seconded by** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

9.2. For possible action, consideration and discussion requesting a future agenda item to create a noise ordinance for the City of Fernley. (Councilman Hanan)

Councilman Hanan discussed how the city has no specific noise ordinance and would like to have discussions with the Sheriff's department on the impact of having one.

Councilman Torres and Councilwoman McKay were against a specific time ordinance.

Mayor McIntyre would like to discuss with the sheriff's department how a time specific noise ordinance would impact law enforcement.

Motion: MOVE TO CONTINUE MATTER OF A NOISE ORDINANCE AFTER DISCUSSION WITH SHERIFF'S DEPARTMENT **Action:** Passed, **Moved by** Councilman Ryan Hanan, **Seconded by** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 3, No 2. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Hanan, **No:** Councilman Torres, Councilwoman McKay.

10. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Councilwoman Zoberski stated she would like newsletter brought back.

Councilman Lau would like to set up a future legislative tour, showing them the area and growth of Fernley.

11. PUBLIC FORUM

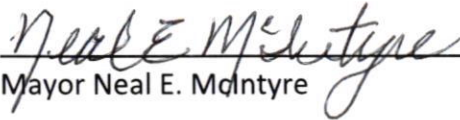
There was none.

12. ADJOURNMENT

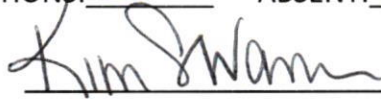
There being no further business to come before it, the Fernley City Council meeting adjourned at 6:58.

Approved by the Fernley City Council on February 15, 2023 by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0



Mayor Neal E. McIntyre



ATTEST: Kim Swanson, City Clerk